

Notice of Allowability

Application No.

10/777,476

Examiner

Nathan Curs

Applicant(s)

WIRTH ET AL.

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment of 16 July 2007.
2. ☒ The allowed claim(s) is/are 35-62.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20070927.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>9/07</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

Drawings

1. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: figures 4A', 4B', 4C', 4D', 4E', 4F', 8E, 8F1, 8F2 and 8F3 have been deleted from the drawings of 16 July 2007. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Claim Amendments

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with T. Perkowski on 27 September 2007.

The claims of 16 July 2007 have been changed as follows:

- Claim 35:
 - In line 1, "capable of" has been deleted.
 - Lines 26-31 have been changed as follows:

a processor for automatically analyzing signals generated from said multi-segment signal detector, controlling said FSM, and automatically tracking or following a maximum intensity laser beam speckle in said FSO laser beam carrier signal, and moving ~~away from~~ low intensity ~~(i.e. black)~~ laser beam speckles appearing in said FSO laser beam carrier signal ~~away from and that might fall onto~~ said receiving optical fiber, and thereby achieving a first level of optical signal intensity stabilization at said single-cell signal detector in said receiver module;

- Claim 47:
 - In line 3, "a maximum intensity speckle" has been changed to "said maximum intensity speckle".
 - In line 4, "a second level" has been changed to "said second level".
- Claim 48:
 - In line 3, "a maximum intensity speckle" has been changed to "said maximum intensity speckle".
 - In line 4, "a second level" has been changed to "said second level".
- Claim 49:
 - In line 15, "downstream from said receiving optical fiber" has been changed to "upstream from said receiving optical fiber".
 - Lines 22-27 have been changed as follows:

(d) processing signals generated from said multi-segment signal detector, controlling said FSM, and automatically tracking or following a maximum intensity laser beam speckle in said FSO laser beam carrier signal, and moving ~~away from~~ low intensity (~~i.e. black~~) laser beam speckles appearing in said FSO laser beam carrier signal away from and ~~that might fall onto~~ said receiving optical fiber, and thereby achieving a first level of optical signal intensity stabilization at said single-cell signal detector in said receiver module;
- Claim 61:
 - In line 3, "a maximum intensity speckle" has been changed to "said maximum intensity speckle".
 - In line 4, "a second level" has been changed to "said second level".
- Claim 62:
 - In line 3, "a maximum intensity speckle" has been changed to "said maximum intensity speckle".

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- In line 4, "a second level" has been changed to "said second level".

Conclusion

3. Any inquiry concerning this communication from the examiner should be directed to N. Curs whose telephone number is (571) 272-3028. The examiner can normally be reached on M-F (from 9 AM to 5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached at (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (800) 786-9199.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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